UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/367,108	08/10/99	HAAPANIEMI J	30-508

IM22/0824

NIXON & VANDERHYE
1100 NORTH GLEBE ROAD
8TH FLOOR
ARLINGTON VA 22201-4714

EXAMINER	
PATTERSON,M	
ART UNIT	**PAPER NUMBER**
1772	7

DATE MAILED: 08/24/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary	Application No.	Applicant(s)	
	09/367,108	HAAPANIEMI ET AL.	
	Examiner	Art Unit	
	Marc A Patterson	1772	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *27 July 2001* .

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *18-27* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *18-27* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) *4* .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other:

DETAILED ACTION

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

2. Claims 18 – 27 are rejected under 35 U.S.C. 102(b) as being anticipated by Qui et al (U.S. Patent No. 5,505,395).

With regard to Claims 18 – 20 and 22, Qui et al. disclose a paperboard core (paperboard winding core; column 3, line 66); comprising a plurality of structural plies (layers; column 7, lines 48 – 51).

A machine direction modulus of elasticity of at least 7500 Mpa, and a cross machine direction modulus of elasticity greater than 4500 Mpa, and a structural ply having a modulus of elasticity of greater than 5000 Mpa and a structural ply having a modulus of elasticity in the machine direction of greater than 8000 Mpa are inherent to the core disclosed by Qui et al., as it is identical to the core of the claimed invention.

With regard to the claimed aspect of the structural ply being made by press drying, the scope of the claim falls within the limitations of Qui et al. The process of making the structural ply (product – by – process) is given little patentable weight. Applicant would need to demonstrate, by verified showing, the unexpected advantages accruing from the process of press drying as claimed.

With regard to Claims 21 and 23, the paperboard core has a wall thickness of 10 mm and an inside diameter of greater than 70 mm (column 5, lines 66 – 67; column 6, lines 1 – 8) and a paperboard ply located in the middle (the structural plies are all

paperboard plies). A middle paperboard ply width of at least 185 mm, and at least 205 mm, is are inherent to the core disclosed by Qui et al., as it is identical to the core of the claimed invention (the claimed width is geometrically inherent, because of the claimed inside diameter and thickness of the cylinder)

With regard to Claim 24, the paperboard core also comprises a plurality of spirally wound structural plies forming the core (it is spirally wound; column 4, lines 2 – 8); a machine direction modulus of elasticity of at least 7500 Mpa, and a cross machine direction modulus of elasticity greater than 4500 Mpa are inherent to the core disclosed by Qui et al., as it is identical to the core of the claimed invention.

With regard to Claim 25, all of the layers of the core are structural layers (the thickness of the structural plies is 1/5 of the total core wall thickness; column 6, lines 24 – 40). A modulus of elasticity in the machine direction of greater than 8000 Mpa and greater than 6500 in the cross machine direction are inherent to the core disclosed by Qui et al., as it is identical to the core of the claimed invention.

With regard to Claim 26, yarn is wound around the core (column 5, lines 55 – 64); with regard to Claim 27 foil is wrapped around the core (column 7, lines 48 – 51).

Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marc Patterson, whose telephone number is (703) 305-3537. The examiner can normally be reached on Monday through Friday from 8:30 AM to 5:00 PM. If attempts to reach the examiner by phone are unsuccessful, the examiner's supervisor, Harold Pyon, can be reached at (703) 308-2364. FAX communications should

be sent to (703) 305-3599. FAXs received after 4 P.M. will not be processed until the following business day.

M.A.P.
M.A.P.

/Harold Pyon/
HAROLD PYON
SUPERVISORY PATENT EXAMINER
1772

8/13/01